

EX PARTE OR LATE FILED
DOCKET FILE COPY ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

5 AUG 1993

Docket-Rm:222
RECEIVED

'AUG 12 1993

FEDERAL COMMUNICATIONS COMMISSION
IN REPLY OFFICE OF THE SECRETARY

7330-7/1700A3

Honorable David E. Skaggs
United States Senator
9101 Harlan Street, Suite 130
Westminster, Colorado 80030

Dear Senator Skaggs:

This is in reply to your letter of July 19, 1993, in which you inquired on behalf of your constituent, Mr. A. Lewis Dahm, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals, plus a discussion paper released March 1, 1993.

We are sensitive to the needs of users of private land mobile radio spectrum and the impact that these proposals may have on their radio systems. We will endeavour to protect all private land mobile radio systems, including those operated by public safety entities. Your letter will be included in the record of this proceeding and will be fully evaluated when we develop final rules.

Thank you for your interest in this proceeding. We expect to issue final rules in 1994.

Sincerely,

Edward R. Jacobs

Edward R. Jacobs
Deputy Chief, Land Mobile and
Microwave Division

Enclosures

No. of Copies rec'd *2 copies*
List A B C D E

DAVID E. SKAGGS

2ND DISTRICT, COLORADO

1124 LONGWORTH BUILDING
WASHINGTON, DC 20515
(202) 225-2161

9101 HARLAN STREET, SUITE 130
WESTMINSTER, COLORADO 80030
(303) 650-7886



UNITED STATES
HOUSE OF REPRESENTATIVES

July 19, 1993

PRB
92-235
2986
COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEE ON INTERIOR

SUBCOMMITTEE ON COMMERCE, JUSTICE,
STATE AND THE JUDICIARY

SUBCOMMITTEE ON THE
DISTRICT OF COLUMBIA

PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

Ms. Linda Solheim
Director
Federal Communications Commission
C/O Office Of Legislative Affairs
1919 M St NW Rm 857
Washington, D.C. 20554

Dear Ms. Solheim:

I am writing in behalf of Mr. A. Lewis Dahm, who contacted my office requesting assistance. I am enclosing a copy of his letter.

I would appreciate your looking into this for me. Please respond to my Colorado office.

Sincerely yours,

David Skaggs
David E. Skaggs

DES: cjf

JUN 1 1993

ROCKY MOUNTAIN RESCUE GROUP, INC.
P. O. BOX Y
BOULDER, COLORADO 80306

May 27, 1993

JUN 1 1993

The Honorable David Skaggs, Representative
United States House of Representatives
9101 Harlan, Suite 130
Westminster, Colorado 80030

Dear Representative Skaggs:

We have been informed of proposed rulemaking by the Federal Communications Commission (FCC) that will have a major impact on our Mountain Rescue Team. This action is contained in Docket #92-235, a Notice of Proposed Rule Making issued last year by the FCC.

We are a 40 member all-volunteer Mountain Rescue Team, based in Boulder, Colorado, founded in 1947. We perform mountain search and rescue primarily in Boulder County, but we do respond several times a year to assist other Colorado teams, or to major mountaineering accidents where our skills are needed, even outside Colorado.

Briefly, the docket proposes spectrum re-framing for users in the Private Land Mobile Radio Service (PLMR). The PLMR radio service includes: Public Safety, Police, Special Emergency, Fire, Local Government, plus many more users. This docket would serve to create more available frequencies for users by requiring the utilization of new technology. The idea behind this docket has merit, but there are also some major concerns, detailed below:

1. This docket proposes that by 1996 all current radios must be modified to a 12 1/2 Khz channel spacing or be taken out of service. Then a second change would obsolete this within 10 years. The current spacing is 15 Khz. We have not found any commercially available radios that will operate at the 12 1/2 spacing without being adversely affected. We believe that the technology is not yet available to produce new radios with spacing of 12 1/2, much less to accomplish the modification of radios currently in use, especially at a reasonable cost. Additionally, a change from 15 to 12 1/2 would mean that 6 out of each 7 frequencies would have to be changed, at considerable expense for a 10 year investment. If the FCC is not going to change 6 out of 7 frequencies why are they proposing a change at all, and then another one in 10 years?
2. The docket proposes that transmitter effective radiated power be restricted to a very low level (5 w.) and that antenna height also be restricted. We work in remote mountainous terrain in which reliable communications are necessary and difficult. Our many years of experience in communicating in the mountains leads us to the conclusion that this part of the docket will severely limit our

communications ability or make the cost beyond our capabilities.

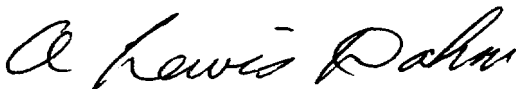
3. The FCC seems to be proposing to eventually use the cellular or trunked systems technology which some large agencies have gone to in the higher frequencies. This may be ok in densely populated urban areas, but the cost could not be justified in sparsely populated rural areas.

4. There have not been any provisions for emergency rescue teams who must be able to operate effectively in various different areas of a state or in remote areas away from their normal base of operations.

5. We are a Not-for-profit Colorado Corporation that depends on private donations and some limited public funding by local agencies. The docket as it is proposed will cause us to need considerable additional funding to replace our current radios.

In conclusion we suggest that a portion of the VHF-HI band be left for agencies such as ours to use to communicate easily in different areas, due to the ability of VHF-HI band to work well in mountainous terrain. I would be happy to discuss these concerns with you or your staff at any time. My telephone number is 303-426-7995.

Sincerely,



A. Lewis Dahm
Executive Board
Rocky Mountain Rescue Group, Inc.
303-426-7995